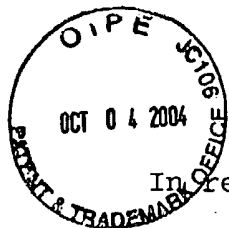


D-2973



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**PATENT**

In re application of:

Robert L. Lyons

Serial No. 09/904,753

Filed: July 13, 2001

For: USE OF ANTIMICROBIAL

PEPTIDES AS PRESERVATIVES

IN OPHTHALMIC PREPARATIONS,

INCLUDING SOLUTIONS,

EMULSIONS, AND SUSPENSIONS

) Group Art Unit: 1653

) Examiner: Wax, Robert A.

) ATTN: MAIL STOP ISSUE FEE

I hereby certify that this correspondent is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on or before

9/29/04  
Robert McGhee

Title Assistant

Date September 29, 2004

Commissioner for Patents

Mail Stop Issue Fee

P.O. Box 1450

Alexandria, VA 22313-1450

**AMENDMENT UNDER RULE 312**

Dear Sir:

Please amend the above-identified application as follows:

**Amendments to the Specification** begins on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 4 of this paper.

**Remarks/Arguments** begin on page 8 of this paper.